

## **665 Transfer Reduced Scope Prevention Program to the Family Resource Centers**

SECTION 1. Section 4435 of the Welfare and Institutions Code is amended to read:

(a) The department shall establish a prevention program for at-risk babies. For purposes of this section, "at-risk baby" means a child under 36 months of age who is otherwise not eligible for the California Early Intervention Program pursuant to Title 14 (commencing with Section 95000) of the Government Code or services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500)) and whose genetic, medical, developmental, or environmental history is predictive of a substantially greater risk for developmental disability than that for the general population, the presence of which is diagnosed by qualified clinicians.

(b) This program shall provide intake, assessment, case management, and referral to generic agencies. For purposes of this section, "generic agency" means any agency that has a legal responsibility to serve the general public and that is receiving public funds for providing these services.

(c) The department shall allocate to each regional center, subject to appropriation, specific funding for this program. A regional center's total expenditures for purchasing or providing services under the prevention program shall not exceed the funding allocated in its contract for this purpose.

~~(d) The department shall establish policies and procedures for implementation of the prevention program by regional centers. These policies and procedures shall define other services included in this program and the process for appealing denial of eligibility for the prevention program. Babies identified as being at-risk who are in the prevention program as of June 30, 2011, shall continue in the prevention program until the child reaches the age of 36 months, the regional center has determined the child is eligible for services under the California Early Intervention Program pursuant to Title 14 (commencing with Section 95000) of the Government Code or the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500), or June 30, 2012, whichever date is earlier.~~

(e) Effective July 1, 2011, a regional center shall not refer any at-risk babies to the prevention program described in this section.

(f) This section shall no longer be in effect as of July 1, 2012.

SEC. 2. Section 4435.1 of the Welfare and Institutions Code is added to read:

(a) Effective July 1, 2011, the department shall establish a program for at-risk babies. For purposes of this section, "at-risk baby" means a child under 36 months of age who is otherwise not eligible for the California Early Intervention Program pursuant to Title 14 (commencing with Section 95000) of the Government Code or services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500)) and whose genetic, medical, developmental, or environmental history is predictive of a substantially greater risk for developmental disability than that for the general population, the presence of which is diagnosed by qualified clinicians.

(b) Effective July 1, 2011, when a regional center intake and assessment determination is that a baby is an at-risk baby as defined in subdivision (a), the regional center shall, with parental consent, refer the baby and family to the family resource center(s) set forth in subdivision (c) for outreach, information, and referral services.

(c) Effective July 1, 2011, the State Department of Developmental Services shall contract with an organization representing one or more family resource centers which receive federal funds from Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431, et seq.) to provide outreach, information and referral services to generic agencies for children under 36 months of age who are otherwise not eligible for the California Early Intervention Program pursuant to Title 14 (commencing with Section 95000) of the Government Code or services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500)). The organization with which the State Department of Developmental Services contracts shall be a private nonprofit organization that supports families of young children with intellectual or developmental disabilities, and those at risk of intellectual or developmental disabilities by ensuring the continuance, expansion, promotion and quality of local family support services, including coordination, outreach and referral. Any contracts entered into pursuant to this section shall be exempt from state contracting and procurement requirements set forth in the Government and Public Contract Codes and shall take effect immediately to protect the health and safety of the children receiving the services.

(d) The contract described in subdivision (c) shall:

- (1) ensure the expeditious delivery of outreach, information and referral services to at-risk babies; and
- (2) require the organization to establish a process with the applicable regional center(s) for referral of the at-risk baby to the regional center when the family resource center(s) suspects that the child may be eligible for services pursuant to the California Early Intervention Program or the Lanterman Developmental Disabilities Services Act.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make changes necessary for implementation of the Budget Act of 2011, it is necessary that this act take effect immediately.